

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WAYNE BALIGA, derivatively on behalf of
LINK MOTION INC. (F/K/A NQ MOBILE INC.)

Plaintiff,

-against-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.), VINCENT WENYONG SHI, ROLAND
WU, and ZEMIN XU,

Defendants,

Civil Action No.: 1:18-cv-11642-VM-VF

**NOTICE OF RENEWED MOTION
TO DISMISS THIRD AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that upon the Memorandum of Law filed on October 11, 2023, at ECF No. [481](#), and upon all prior proceedings, pleadings, and filings in this action, Defendants Link Motion Inc. f/k/a NQ Mobile Inc. (the “Company”) and Vincent Wenyong Shi (“Dr. Shi”), by their undersigned counsel, will move this Court, located at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, before the Honorable Valerie Figueredo, United States Magistrate Judge, at a date and time to be determined by the Court, for an Order granting the following relief:

(1) Dismissing with prejudice, pursuant to Fed. R. Civ. Proc. 12(b)(6), the common law fraud claim asserted by Plaintiff Wayne Baliga in the Third Amended Complaint (ECF No. [470](#)); and

(2) granting such other and further relief as the Court deems just and proper;

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), papers in opposition to this motion shall be filed and served within fourteen (14) days after service of the moving papers.

Dated: New York, New York
December 10, 2024

Respectfully submitted,

FELICELLO LAW P.C.

By: /s/ Michael James Maloney
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Shi*

MEMO ENDORSED



HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

Dated: 12/11/24

The parties are directed to meet and confer and propose a briefing schedule for the motion to dismiss by Wednesday, December 18, 2024.